

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ROBERT TOUSSIE,

Plaintiff,

-against-

**ORDER**

14 CV 2705 (FB) (CLP)

ALLSTATE INSURANCE CO. *et al.*,

Defendants.

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ROBERT TOUSSIE and LAURA TOUSSIE,

Plaintiffs,

-against-

15 CV 5235 (ARR) (CLP)

ALLSTATE INSURANCE CO.,

Defendant.

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**POLLAK**, United States Magistrate Judge:

Plaintiffs' counsel in these two matters, Susan Mauro, Esq. and the firm of Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone LLP ("Abrams Fensterman"), previously filed papers with the Court in these cases seeking leave to withdraw as counsel of record for Robert and Laura Toussie<sup>1</sup> (the "plaintiffs"). Ms. Mauro also sought leave to file the motions and supporting papers under seal.

The Court previously concluded that Ms. Mauro had established good cause to seal the affirmations, and directed that they be filed under seal on the Court's CM/ECF system. (See Order to Show Cause, Dec. 27, 2017). The Court deferred ruling on counsel's request to file the motions under seal or, in the alternative, to file the motions under seal and to file copies with two

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<sup>1</sup> Although Ms. Mauro's motion only refers to Mr. Toussie, the Court infers that Ms. Mauro and Abrams Fensterman also seek to withdraw as Mrs. Toussie's counsel.

paragraphs redacted on the public docket. Upon further review of counsel's submissions, the Court concludes that there exists good cause to allow counsel to file unredacted copies of the motions under seal and to file redacted copies on the public docket. Specifically, the Court finds that the preantepenultimate and antepenultimate paragraphs of the motions pose a risk of adversely affecting plaintiffs' interests in other pending litigation not before this Court.

Due to technical difficulties with the EDNY's internal CM/ECF system, the Court was delayed in uploading this Order and notifying the parties of its contents, and the Court therefore Orders that the unredacted filings made by plaintiff's counsel during the period the Court was unable to upload its Order be sealed.

It is therefore ORDERED that plaintiffs shall file their motions to withdraw under seal and shall file on the public docket versions of their motions that redact the preantepenultimate and antepenultimate paragraphs.

The Clerk of the Court is DIRECTED to restrict access and seal the following entries: ECF No. 185 in case number 14-cv-2705 and ECF No. 133 in case number 15-cv-5235.

The Clerk is directed to send copies of this Order to the parties either electronically through the Electronic Case Filing (ECF) system or by mail.

**SO ORDERED.**

Dated: Brooklyn, New York  
December 28, 2017

/s/ Cheryl L. Pollak  
Cheryl L. Pollak  
United States Magistrate Judge  
Eastern District of New York